

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CRIMINAL NO. <u>08-</u>
v.	:	DATE FILED: <u>September 4, 2008</u>
STEPHEN CHILDERS	:	VIOLATIONS:
	:	18 U.S.C. § 2314 (interstate
	:	transportation of property taken by
	:	fraud- 4 counts)
	:	Notice of forfeiture

INDICTMENT

COUNTS ONE THROUGH FOUR

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment:

1. Defendant STEPHEN CHILDERS created an entity called Lampert Contracting ("Lampert") which he falsely represented was a part of a larger company in Virginia. Defendant CHILDERS offered electric generators for sale over the internet.
2. Defendant STEPHEN CHILDERS obtained the generators from an electric supply company where he was employed until approximately December 2006. Defendant CHILDERS paid for the generators by ordering them directly from his employer's supplier and billing his employer for them. Defendant CHILDERS charged his customers' credit cards for the generators.
3. Defendant STEPHEN CHIDERS charged his customers' credit cards a second time with the electric supply company being the payee after the customers' cards had already been billed by Childers. This caused the customers to have the charges reversed. When

the charges were reversed, defendant CHILDERS gave the electric supply company checks drawn on an account in the name of Lampert that defendant CHILDERS knew did not contain sufficient funds to cover the checks.

4. In total, defendant STEPHEN CHILDERS received payment for approximately thirty generators and caused the electric supply company to suffer a loss of approximately \$250,000.

5. On or about the dates set forth below, in the Eastern District of Pennsylvania and elsewhere, defendant

STEPHEN CHILDERS

unlawfully transported in interstate commerce, in the manner described below, goods and merchandise with a value in excess of \$5,000, that is, electronic generators, and aided and abetted and wilfully caused the transportation of such goods and merchandise, knowing the same to have been stolen, converted and taken by fraud, each transportation constituting a separate count:

COUNT	DATE	FROM	TO	DESCRIPTION OF MERCHANDISE & VALUE
1	12/22/06	Bristol, PA	Breese, IL	Four generators with a value of \$17,104
2	01/31/07	Waukesha, WI	Edwardsville, IL	Three generators with a value of \$11,001
3	02/01/07	Bristol, PA	N. Tonawanda, NY	Two generators with a value of \$6,280

COUNT	DATE	FROM	TO	DESCRIPTION OF MERCHANDISE & VALUE
4	02/12/07	Bristol, PA	Akron, OH	Two generators with a value of \$9,567

All in violation of Title 18, United States Code, Sections 2314 and 2.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 2314, set forth in this indictment, defendant

STEPHEN CHILDERS

shall forfeit to the United States of America any property, real or personal, that constitutes or is derived from proceeds traceable to the commission of such offenses, including, but not limited to, the approximate sum of \$250,000.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c), incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18,
United States Code, Section 981(a)(1)(C).

A TRUE BILL:

GRAND JURY FOREPERSON

LAURIE MAGID
Acting United States Attorney